

# State of South Dakota

SEVENTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 1999

680C0696

CONFERENCE COMMITTEE ENGROSSED

NO. **HB1207** - 3/5/99

Introduced by: Representatives Michels, Crisp, Duniphan, Earley, and Monroe and Senators  
Everist, Daugaard, and Halverson

1 FOR AN ACT ENTITLED, An Act to increase the time period for which a driver's license is  
2 revoked for certain drug offenses.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-12-52.3 be amended to read as follows:

5 32-12-52.3. Upon a first conviction or a first adjudication of delinquency for a violation,  
6 while in a motor vehicle, of §§ 22-42-5 to 22-42-11, inclusive, 22-42A-3 or 22-42A-4, the court  
7 shall revoke the driver's license or driving privilege of the person so convicted for a period of  
8 ~~ninety~~ one hundred eighty days.

9 Upon a second or subsequent conviction or a second or subsequent adjudication of  
10 delinquency for a violation, while in a motor vehicle, of §§ 22-42-5 to 22-42-11, inclusive,  
11 22-42A-3 or 22-42A-4, the court shall revoke the driver's license or driving privilege of the  
12 person so convicted for a period of one year or until the person's seventeenth birthday, whichever  
13 is a longer period of time. For any offense under this section, the court may issue an order  
14 permitting the person to operate a motor vehicle for purposes of the person's employment or  
15 attendance at school. Notwithstanding the provisions of chapters 26-7A, 26-8A, 26-8B, and  
16 26-8C, the Unified Judicial System shall notify the Department of Commerce and Regulation of

1 any conviction or adjudication of delinquency for a violation, while in a motor vehicle, of  
2 §§ 22-42-5 to 22-42-11, inclusive, 22-42A-3 or 22-42A-4. The period of revocation shall begin  
3 on the date the person's revoked driver's license is received by the court or the department. At  
4 the expiration of the revocation period, a person may make application as provided by law and  
5 shall pay the license fee prescribed in § 32-12-47.1.

1    **BILL HISTORY**

2    1/27/99 First read in House and referred to Judiciary. H.J. 213

3    1/28/99 Referred to Judiciary. H.J. 240

4    2/1/99 Scheduled for Committee hearing on this date.

5    2/1/99 Judiciary Do Pass, Passed, AYES 10, NAYS 1. H.J. 310

6    2/3/99 House of Representatives Do Pass, Passed, AYES 61, NAYS 1. H.J. 354

7    2/4/99 First read in Senate and referred to Commerce. S.J. 342

8    2/11/99 Scheduled for Committee hearing on this date.

9    2/16/99 Scheduled for Committee hearing on this date.

10   2/16/99 Commerce Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 493

11   2/18/99 Senate Do Pass Amended, Passed, AYES 30, NAYS 3. S.J. 574

12   2/22/99 House of Representatives Deferred to another day. H.J. 689

13   2/23/99 House of Representatives failed to concur, appoint Conference Committee. H.J. 704

14   3/3/99 Senate Conference committee report adopted Passed, AYES 32, NAYS 2. S.J. 761